

SENATE BILL 3422

By Ford, O.

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 1, relative to the sale of human breast  
milk.

WHEREAS, breast milk is a superior means of providing nourishment and  
immunological and developmental benefits to infants; and

WHEREAS, research indicates that breast milk lessens the risk or severity of disease  
and viruses-related illnesses; and

WHEREAS, the improper processing, storing or distribution of human milk may transfer  
infectious diseases such as AIDS; and

WHEREAS, a market for unscreened breast milk has developed, potentially exposing  
purchasers or their children to health risks; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, is amended by adding  
Sections 2 through 3 as a new part thereto.

SECTION 2. It is an offense to sell, barter or trade for compensation human breast milk.  
A violation of this section is a Class C misdemeanor.

SECTION 3. The provisions of this act shall not apply to breast milk banks or to health  
care facilities that screen breast milk before it is delivered to the recipient, or to the storing or  
distribution of breast milk collected from a mother exclusively for her own child.

SECTION 4. This act shall take effect July 1, 2010, the public welfare requiring it.